Excerpt from the Federal Savings and Loan Insurance Corporation's Second Amended Complaint against Stanley E. Adams, Shanks & Butler, and others

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LAMAR FINANCIAL CORPORATION AND FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION in its corporate capacity,	§	CIVIL ACTION NO. A-88-CA-183
Plaintiffs,	§	
v.	§	
STANLEY E. ADAMS, *et al.*	§	

PLAINTIFF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION'S SECOND AMENDED COMPLAINT

* * * *

92. In November of 1983, however, Brazos' outside auditors, Peat Marwick, wrote a letter to the boards of Brazos and Lamar spotlighting the highly-irregular and inappropriate jump in Brazos' expenses during the second quarter of 1983. Accordingly, the Lamar board was at least generally aware by November 1983 of Adams' et al.'s improper activities. Despite that knowledge, they took no

actions to carefully oversee and monitor Lamar's operations and thereby allowed Adams and his group to continue to run amok.

Second Amended Complaint at p. 58, ¶ 92.

* * * *

180. ... The basis of liability for the Shanks & Butler Defendants is the fact that they were the attorneys w ho handled the commercial loan and investment transactions which form the basis of the predicate acts of the RICO charge, as herein detailed. ... In particular, they failed to review, and to take reasonable steps to ensure compliance with, laws and regulations applicable to said transactions and failed to take reasonable steps to protect Lamar's interests in said transactions.

Second Amended Complaint at p. 98, ¶ 180.

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235. From 1982 through at least 1986, Shanks & Butler reviewed and drafted the documents which were used to close the fraudulent commercial transactions which are enumerated hereinabove.

Second Amended Complaint at p. 120, ¶ 235.

Excerpt from Brief of Appellant

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 91-6315

FEDERAL DEPOSIT INSURANCE CORPORATION,
AS MANAGER OF THE FSLIC
RESOLUTION FUND, STATUTORY
SUCCESSOR TO THE FEDERAL SAVINGS AND
LOAN INSURANCE CORPORATION,
IN ITS CORPORATE CAPACITY

-against-

SHRADER & YORK, A TEXAS PARTNERSHIP IN
DISSOLUTION, *ET AL.*

BRIEF OF APPELLANT

* * * *

Summary judgment is available only "after adequate time for discovery" has elapsed. *Atchison, Topeka and Santa Fe Ry. Co. v. Buell*, 480 U.S. 557, 568 n. 15 (1987).